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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,499	05/30/2002	Claus Pedersen	367.40891X00	4966

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EXAMINER

NGUYEN, CINDY

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/009,499	Applicant(s) PEDERSEN, CLAUS	
	Examiner Cindy Nguyen	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/11/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is in response to application filed on 12/11/2001 in which claims 24-46 are presented for examination.

Priority(IDS)

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

The information disclosure statement filed on 12/11/2001 is in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. Because it has been placed in the application file, and the information referred to therein has been considered as to the merits.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 24-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu et al. (US 6578684) (Hsu) in view of Boyle et al. (US 6138158).

Regarding claims 24, 32 and 36, Hsu discloses: a system and a method for fetching content from at least one server to a cellular communication terminal comprising:

a receiver and a transmitter (14, fig. 1) which receives and transmits data packets from at least one server through a link which transmits the data packets between the terminal and the server (col. 11, lines 51 to col. 12, lines 7 and col. 12, lines 53-65, Hsu);

a first memory (86, fig. 3) comprising an identifier and at least one item (data packets based on the messages supplied, col. 13, lines 14-15) , the item is provided with an access point which indicates the location of the server to an accessed (col. 12, lines 33-53), wherein the server is accessed by sending the identifier to the link to identify a first content to be accessed at the server, first content is associated with link content provided at different locations in the server or in another server (col. 12, lines 33-53 and col. 13, lines 4-18, Hsu);

a browser application (client browser software), which establishes a session to the link by reading an item from the first memory, and fetches a copy of the first content from the server, at the location indicated by the access point, to be stored in the first or in a second memory, wherein the second memory which temporarily or permanently stores the copy of the first content (col. 13, lines 67 to col. 14, lines 12, Hsu);

a user interface connected to the browser application having a display which displays the copy of the first content received from the server and a user input which controls the browser application (col. 12, lines 53-65, Hsu); and

However, Hsu didn't disclose: wherein a copy of the first content and a copy of the link content is fetched simultaneously upon a request generated by the browser application, the request is sent through the transmitter as a data packet, comprising an instruction to the server to send a copy of the first content from a given location in the server, indicated by the access point, together with a copy of the link content,

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simultaneously. On the other hand, Boyle discloses: wherein a copy of the first content and a copy of the link content is fetched simultaneously upon a request generated by the browser application, the request is sent through the transmitter as a data packet, comprising an instruction to the server to send a copy of the first content from a given location in the server, indicated by the access point, together with a copy of the link content, simultaneously (col. 7, lines 12-39, Boyle). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the steps for copy the content and copy of the link content in the system of Hsu as taught by Boyle. The motivation being to enable the system pushes a notification of electronic message (including the URL) to link service when there is a change or update to the information subscribed by mobile device to make the user aware that an update to the information the user fetched before has occurred, then it is up to the user to decide when to fetch the updates (col. 7, lines 12-38, Boyle).

Regarding claims 25, 33, 34 and 37, all the limitation of these claims have been noted in the rejection of claims 24, 32 and 36 above, respectively. In addition, Hsu/Boyle discloses: wherein the first content and link content is provided in the same server (provide by Web server 202, col. 7, lines 11-39, Boyle).

Regarding claim 26, all the limitation of this claim have been noted in the rejection of claim 24 above. In addition, Hsu/Boyle discloses: wherein a pull means is provided with a selecting means, in order to choose which content is to be fetched (col. 7, lines 66 to col. 8, lines 13, Boyle).

Regarding claims 27 and 38, all the limitation of these claims have been noted in the rejection of claims 24 and 36 above, respectively. In addition, Hsu/Boyle discloses: wherein the second memory is an external memory, provided with a connection to the terminal (col. 8, lines 13-25, Hsu).

Regarding claims 28 and 39, all the limitation of these claims have been noted in the rejection of claims 24 and 36 above, respectively. In addition, Hsu/Boyle discloses: wherein the second memory is in the terminal (30, fig. 1, Hsu).

Regarding claims 29 and 40, all the limitation of these claims have been noted in the rejection of claims 24 and 36 above, respectively. In addition, Hsu/Boyle discloses: wherein the second memory is a cache memory (col. 12, lines 53-67, Hsu).

Regarding claims 30 and 41, all the limitation of these claims have been noted in the rejection of claims 24 and 36 above, respectively. In addition, Hsu/Boyle discloses: wherein the first memory is a SIM card (col. 6, lines 35-56, Boyle).

Regarding claim 31, all the limitation of this claim have been noted in the rejection of claim 24 above. In addition, Hsu/Boyle discloses: wherein the terminal is a cellular phone (col. 7, lines 35-60, Hsu).

Regarding claim 35, all the limitation of this claim have been noted in the rejection of claim 34 above. In addition, Hsu/Boyle discloses: wherein fetches a copy of the link content from a further server (col. 9, lines 35-48, Boyle).

Regarding claim 42, all the limitation of this claim have been noted in the rejection of claim 24 above. In addition, Hsu/Boyle discloses: wherein communication between the server

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and the terminal is in accordance with the Wireless Application Protocol (col. 5, lines 60 to col. 6, lines 29, Boyle).

As per claims 43-46, all the limitations of these claims have been noted in the rejection of claim 24. It is therefore rejected as set forth above.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CN
Cindy Nguyen
February 14, 2005

Frantz Coby
FRANTZ COBY
PRIMARY EXAMINER